

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate;
LUKE A. RANKIN, in his official capacity as
Chairman of the Senate Judiciary Committee;
JAMES H. LUCAS, in his official capacity as
Speaker of the House of Representatives;
CHRIS MURPHY, in his official capacity as
Chairman of the House of Representatives
Judiciary Committee; WALLACE H.
JORDAN, in his official capacity as Chairman
of the House of Representatives Elections Law
Subcommittee; HOWARD KNAPP, in his
official capacity as interim Executive Director
of the South Carolina State Election
Commission; JOHN WELLS, Chair,
JOANNE DAY, CLIFFORD J. ELDER,
LINDA MCCALL, and SCOTT MOSELEY,
in their official capacities as members of the
South Carolina State Election Commission,

Defendants.

Case No. 3:21-cv-03302-MGL-TJH-RMG

THREE-JUDGE PANEL

**PLAINTIFFS' AMENDED DEPOSITION
DESIGNATIONS, OBJECTIONS, AND
COUNTER-DESIGNATIONS FOR
HOUSE DEFENDANTS' WITNESSES**

Pursuant to the guidance from the Court regarding deposition designations, below are Plaintiffs' updated, narrowed designations and updated counter-designations and objections to House Defendants' counter-designations.¹ To aid the Panel's review, Plaintiffs will file copies of the below transcripts with color coded highlights of Plaintiffs' designations, Defendants' counter-designations, and each Parties' objections.

Plaintiffs have withdrawn their designations for the depositions of Rep. Justin Bamberg, Sen. George Campsen, Mr. Patrick Dennis, Rep. Wallace "Jay" Jordan, Sen. Shane Massey, Rep. Wm. Weston Newton, and Mr. William Roberts because Defendants have called or plan on calling them as witnesses. Plaintiffs reserve their right to submit designations for these individuals if Defendants do not call them as witnesses during the trial.

Witness Designations

1. Beth Bernstein

Designations: 40:6-41:23, 46:7-50:4, 55:3-58:22 79:7-82:11, 84:5-17, 86:16-87:3, 89:3-8, 90:8-20, 95:14-96:7 101:21-103:15, 105:11-106:11, 110:16-112:3, 139:12-140:15, 154:19-155:17, 161:6-17, 162:4-12, 162:25-164:15, 182:8-186:22, 188:21-196:10, 198:4-23, 215:24-219:3, 227:12-231:21

Objections to Defendants' Counter-Designations:

241:16-19: Rule 701 (calls for improper lay opinion)

263:19-24: Rule 701 (calls for improper lay opinion)

264:11-16: Rule 701 (calls for improper lay opinion)

2. Neal Collins

¹ This filing only contains designations, counter designations, and objections as to House Defendants' witnesses. When Plaintiffs receive Senate Defendants' counter designations, the Court will be provided a corresponding submission covering Senate Defendants' witnesses.

Designations: 47:3-49:21, 53:16-54:1, 57:2-61:9, 72:21-74:2, 88:13-94:10, 94:18-96:3, 105:3-106:18, 111:11-113:12, 115:13-118:14, 119:2-120:13, 130:2-13, 130:17-20, 134:16-141:8, 140:17-144:18

Objections to Defendants' Counter-Designations: None

3. Emma Dean

Designations:

Vol 1: 16:13-21:2, 35:5-36:8, 37:24-41:11, 41:21-44:6, 45:18-49:22, 70:22-74:5, 84:2-85:22, 86:7-87:5, 91:2-22, 93:23-97:5, 115:25-118:7, 119:9-128:17, 131:18-132:6, 133:2-134:23, 138:23-139:21, 150:9-152:2, 178:13-187:8, 189:14-193:17, 194:20-197:18, 200:19-201:20, 202:23-205:9, 207:14-211:7, 213:9-224:5, 226:24-228:10, 230:5-233:5, 234:14-21, 236:23-239:6, 239:23-254:21, 255:21-256:22, 257:5-266:2, 275:3-20, 297:3-308:5

Vol. 2: 12:6-11, 18:24-19:18, 27:8-28:20, 30:15-32:16, 33:5-34:6, 34:20-36:25, 39:13-40:4, 41:8-43:8, 43:25-49:14, 52:12-59:14, 59:25-62:6, 64:6-24, 66:24-67:13, 68:6-69:21, 71:10-72:17, 73:3-80:22, 87:2-95:23, 96:6-97:21, 100:22-111:16

Objections to Defendants' Counter-Designations: None

4. Thomas Hauger

Designations:

Vol 1: 5:1-12, 15:11-24, 18:21-19:2, 27:17-32:16, 33:6-34:10, 38:4-39:18, 40:2-43:6

Vol 2: 10:4-12:12, 12:13-12:25, 16:19-21, 17:5-21:25, 22:1-22:17, 23:16-25:4, 25:21-25:24, 26:10-26:12, 26:21-27:10, 28:13-38:22, 38:24-39:4, 39:5-40:17, 41:15-42:8, 44:8-44:10, 45:11-45:21, 50:1-51:14, 52:6-53:17, 53:22-57:3, 58:5-58:11, 58:17-59:2, 59:10-68:4, 69:8-75:25, 76:18-77:4, 77:13-79:25, 80:19-86:23, 88:13-90:21, 91:11-106:13, 107:17-108:9, 110:14-113:15, 114:1-12, 114:19-118:2, 119:1-119:12, 121:5-14, 122:18-123:12, 124:16-125:10, 125:15-127:10, 138:17-139:15, 142:9-144:12

Objections to Defendants' Counter-Designations: None

5. Howard Knapp

Designations: 8:2-16, 14:22-17:21, 18:7-25, 19:13-27:3, 28:24-31:10, 34:4-36:22, 40:12-46:13, 47:12-50:17, 51:25-52:16, 54:3-15, 55:7-24, 57:5-59:11, 59:22-76:5, 78:18-81:18, 82:13-93:5, 96:8-15.

6. James Lucas

Designations:

Vol 1: 82:21-86:3, 90:25-94:11, 101:18-102:8, 119:23-124:15, 133:12-136:16, 145:23-150:1

Vol 2: 9:17-21, 18:14-23:25, 26:3-27:12, 28:20-29:16, 29:20-23, 29:24-35:23, 36:18-25, 37:18-38:14, 41:17-43:9, 44:2-4, 44:21-48:7, 48:19-21, 49:13-16, 50:25-53:8, 55:14-56:16, 59:18-60:18, 63:19-65:14, 65:23-67:9, 71:3-11; 71:24-72:21, 73:5-11, 73:12-16, 76:19-79:6, 80:21-81:4, 83:10-84:16, 88:16-90:24, 92:1-97:2, 98:6-108:11, 109:21-111:7, 117:10-121:3

Objections to Defendants' Counter-Designations: None

7. Chris Murphy

Designations:

Vol. 1: Vol 1: 22:9-2533:19-37:15, 74:23-75:14, 83:8-87:22, 91:13-92:21, 96:2-21, 98:25-100:4, 100:22-101:13, 103:15-104:4, 108:17-109:1, 150:13-151:7, 202:12-25, 204:1-13, 205:15-19, 206:18-24, 208:4-212:8, 214:6-216:11, 220:3-229:22, 232:19-240:16, 242:4-246:25, 247:18-250:2, 254:13-256:5, 257:12-262:5

Vol. 2: 15:8-20:3, 21:23-22:13, 23:23-24:10, 26:6-27:22, 28:8-19, 29:18-30:12, 30:15-33:10, 35:4-37:9, 37:15-38:13, 38:17-40:20, 42:4-12, 42:18-24, 47:1-48:11, 49:10-16, 50:20-51:2, 51:10-19, 51:21-24, 52:12-56:18, 59:21-60:7, 65:5-11, 66:19-67:3, 67:21-73:10, 73:14-75:23, 77:25-79:20, 80:19-82:7, 83:9-24, 84:2-4, 84:22-88:17, 89:16-23, 90:10-93:15, 93:20-94:13, 94:17-95:6, 95:10-96:2, 97:21-98:16, 99:17-101:11, 103:10-104:11

Objections to Defendants' Counter-Designations: None

Plaintiffs' Counter-Designations and Objections

1. Benjamin Fifield

Counter-designations: 8:3-9:13, 49:13-51:22, 98:18-114:9, 135:16-19, 139:15-141:8, 145:1-146:8, 167:9-168:19, 175:20-24, 189:16-190:12, 191:24-196:1, 191:9-208:11.

Objections:

General Objection: This testimony is subject to a motion in limine.

Specific Objections:

118:23-119:5: Rule 602 (speculation); Rule 701 (calls for opinion), Rule 401 (relevance)

119:6-120:1 Rule 602 (speculation); Rule 701 (calls for opinion), Rule 401 (relevance)

120:3-11: Rule 602 (speculation); Rule 701 (calls for opinion), Rule 401 (relevance)

120:12-120:22: Rule 602 (speculation); Rule 701 (calls for opinion), Rule 401 (relevance)

175:8-18: Rule 701 (calls for opinion), Rule 401 (relevance)

192:15-22: Rule 401 (relevance)

193:5-13: Rule 401 (relevance)

193:15-22: Rule 401 (relevance)

193:24-194:7: Rule 401 (relevance)

196:12-20: Rule 401 (relevance)

196:22-197:6: Rule 401 (relevance)

Dated: October 12, 2022

Respectfully submitted,

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* Motion for admission *Pro Hac Vice* forthcoming
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CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2022, a true and correct copy of the foregoing was served on all counsel of record by filing with the Court's CM/ECF service.

/s/ Allan Chaney
Allan Chaney